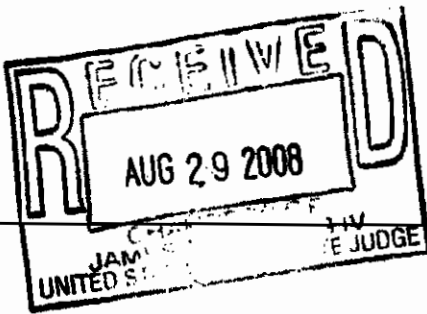


U.S. Department of Justice

United States Attorney  
Southern District of New York



86 Chambers Street  
New York, New York 10007

August 28, 2008

By Hand

Honorable James C. Francis  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street, Room 1960  
New York, New York 10007

Re: Jose Rodriguez v. Astrue  
08 Civ. 1527 (RMB) (JCF)

Dear Judge Francis:

1126

**MEMO ENDORSED**

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/29/08

This Office represents the Commissioner of Social Security (the "Commissioner"), defendant in the above-captioned action. I write respectfully to request, with the consent of plaintiff, a thirty-day extension of time, from September 2, 2008, to October 2, 2008, to move with respect to the complaint. The purpose of this request is to allow plaintiff an opportunity to seek administrative relief for the late filing of his complaint under 20 C.F.R. §§ 404.982, 416.1482.

This is defendant's second request for an extension of time, as defendant's response to the complaint was originally due on July 1, 2008.

Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

BY:

*Leslie A. Ramirez-Fisher*  
LESLIE A. RAMIREZ-FISHER  
Assistant U.S. Attorney  
Telephone: (212) 637-0378  
Fax: (212) 637-2750

*Application granted. In addition, plaintiff's answering papers shall be due by November 3, 2008, and Defendant's reply by November 17, 2008.*

cc: James Baker, Esq. (By Overnight Mail)

*SD ORDERED.*  
*James C. Francis IV*  
*10/1/08*